

AMENDED IN ASSEMBLY JANUARY 8, 2014

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CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 230

Introduced by Assembly Member Maienschein
(Principal coauthor: Senator Vidak)
(Coauthors: Assembly Members Bonilla and Hagman)

February 5, 2013

An act to add Chapter 2.7 (commencing with Section 18900) to Division 8 of the Business and Professions Code, relating to youth athletic programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 230, as amended, Maienschein. Youth athletic programs: background checks.

Existing law authorizes specified entities to receive state summary criminal history information from the Department of Justice. Existing law also requires mandated reporters, as defined, to report child abuse and neglect to local law enforcement. Existing law authorizes a community youth athletic program, as defined, to request state and federal level criminal offender record information and subsequent arrest notification for a volunteer coach or hired coach candidate.

This bill would require a community youth athletic program to provide written notice to the parent or guardian of a youth participating in the program regarding the program's policies relating to criminal background checks for volunteer and hired coaches in the program, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 2.7 (commencing with Section 18900) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 2.7. COMMUNITY YOUTH ATHLETIC PROGRAMS

18900. (a) (1) Commencing January 1, 2016, a community youth athletic program shall provide written notice to the parent or guardian of any youth participating in the program regarding the program's policies relating to whether the program obtains criminal background checks for hired or volunteer coaches or both.

(2) If criminal background checks are obtained for hired or volunteer coaches, the written notice shall also contain both of the following:

(A) A statement regarding whether the criminal background check includes state and federal criminal history information and whether the program obtains subsequent arrest notification for those individuals.

(B) Contact information regarding where the parent or guardian of a child participating in a community youth athletic program can obtain additional information about the program's background check policy, such as the entity providing the criminal background check obtained by the community youth athletic program or the nature of the type of offenses the program looks for.

(b) As used in this section, a "community youth athletic program" means an ~~employer having as its primary purpose the promotion or provision of athletic activities for youth under 18 years of age;~~ *organization that meets both of the following requirements:*

(1) *Its primary purpose is the promotion or provision of athletic activities for youth under 18 years of age.*

(2) *It has adult employees who have supervisory or disciplinary power over a child or children.*

~~(c) Nothing in subdivision (a) shall require or authorize a community youth athletic program to disclose confidential criminal~~

1 ~~history information in violation of Article 3 (commencing with~~
2 ~~Section 11100) of Chapter 1 of Title 1 of Part 4 of the Penal Code.~~
3 ~~(d)~~
4 (c) As used in this section, “written notice” may include posting
5 on the community youth athletic program’s Internet Web site.
6 (d) *Nothing in subdivision (a) shall require or authorize a*
7 *community youth athletic program to disclose confidential criminal*
8 *history information in violation of Article 3 (commencing with*
9 *Section 11100) of Chapter 1 of Title 1 of Part 4 of the Penal Code.*

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